

1870-010 Chancery Causes: Admr. of William Albert vs. Richard C. Ball &  
Lee Co.

Gauge, Henson

CA Debt



To the Honorable Henry J. Morgan Judge of the  
County Court of Lee County in Chy now sitting

Your orator James W. Jayne administrator  
of the estate of William Albert deceased  
humbly complaining sheweth unto your Honor  
that on the 28<sup>th</sup> day of Nov. 1867 one Anders P.  
Henson, and Richard C. Ball, executed, to your  
orator, as admr. as aforesaid, their certain  
promissory note, and subscribed their names  
thereto, for the sum of \$152., due and payable  
twelve months after the date thereof - which  
said promissory note, will in due time  
be filed with this bill marked "A" - Upon  
this note your orator instituted, suit in the  
County Court of Lee County, and at the August  
term 1869 thereof, your orator, obtained  
judgement against the said Henson for the  
amount of said note - A transcript of  
which said judgement will in due time  
be filed with this bill marked B. The de-  
fendants, nor neither of them, has never paid  
to your orator, the said notes or judgement or  
any part thereof, but the same is wholly due  
and still owing. At the time of the rendition  
of the said judgement, and before process  
had been served on him, the said <sup>Richard C.</sup> Ball  
removed from this Commonwealth, and still  
remains a non-resident of this State -

The said Henson, was at the rendition of  
the said judgement, wholly insolvent, and  
the said Ball left no effects in this State  
out of which, he could have made his  
claim on any part thereof -



But since the transactions, hereinbefore mentioned one Spencer Ball of this county, the father of the said Richard C. Ball, and father in law of the said Henson whose wife is still living, has departed this life intestate - and the said Richard C. Ball as one of his heirs at law, is entitled as distributed, <sup>of</sup> his personal <sup>estate</sup>, to the one part thereof - The said Henson in right of his wife is entitled to the one part thereof - & The said Ball is as heir at law entitled to the one part of the real estate owned by the said Spencer Ball at the time of his death, and the said Henson is entitled to his curtesy, in the lands descended to his said wife. Your orator alleges that the personal estate of the said, Spencer Ball in the hands of his adm<sup>r</sup> will amount to the sum of \$ , of which the, the said Richard C. Ball and Andrew P. Henson will be entitled as aforesaid - Your orator further alleges that the real estate descended, to the said Richard C. Ball, and Henson as aforesaid is worth the sum of \$ . The object of this bill therefore is to obtain a decree, against the said, <sup>Richard C.</sup> Ball, for the amount of the note and interest aforesaid - and that

The administrator of Spencer Ball, deceased, be decreed to pay his distributable share in his said father's personal estate, <sup>to your orator, or enough thereof as will satisfy his demand</sup> and that the said adm<sup>r</sup> be also directed to pay the distributable share of the said Henson over to your orator, as he is advised that the fieri facias, herewith

filed marked 'le' is a lien on all dues debts & demands, belonging to or falling due to the said Henson - And in the event the said personal estate belonging to the, said Henson & Ball, should prove insufficient then that so much of the land belonging to the said Richard C. Ball be sold as is necessary to pay and discharge the said claim and costs of suit - And in the event the personal estate, aforesaid belonging to the said Richard C. Ball and A. P. Henson & the lands of the said Richard C. be insufficient then that the lands ~~to~~ descending to the wife of the said Henson and in which he is entitled to his life estate be <sup>seized</sup> and the proceeds applied to the discharge of your orator's claim or what may be due thereon after exhausting, the personal estate and lands of the said Richard C. Ball -

Your orator prays therefore, is, that the said Richard C. Ball Andrew P. Henson and <sup>the administrator</sup> of the estate of Spencer Ball, <sup>answer</sup> be made parties defendants to this bill and answer its allegations on oath, and on a hearing a decree be rendered in conformity with this bill - And grant other further & general relief. May your honors issue &c -

Hayden & Prichard



James W. Jayne admr &c

vs } Bill Chy

Richard C. Ball et al

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Virginia Lee County to wit:-

This day James W. Jayne - personally appeared before me and, and made oath that Richard C. Ball. is a non resident of this State - And that he owns as affiant believes he has estate in lands belonging to him in this State

Given under my hand this 18<sup>th</sup> day of April 1870.

John B. West & Co

James W. Joyner

vs } affidavit

Richard C. Ball et al

1870 April 18th Filed.

James W. Joyner

vs } Affidavit of  
non-residence

Richard C. Ball et al



Virginia Lee County to wit:

This day James W. Jayne ~~the~~ personally  
appeared before me, and made oath, that  
Richard C. Ball and Anber P. Benson are justly  
indebted to him as the administrator of the estate  
of Mr. Albert deceased, in the sum of \$152- due  
by note <sup>dated</sup> on 28<sup>th</sup> day of Nov. 1867, and due  
twelve month after date- And that the  
same or no part, thereof has been paid  
Given under my hand this 18<sup>th</sup> day of  
April 1870- John B. West, Clerk

James W. Jayne

vs { affidavit

Richard C. Ball & others  
P. Henson.

1870. March 18th Filed,

James W. Jayne adms

vs { ~~affidavit~~ of  
Oath of claim

Richard C. Ball et al